

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 92-028-C - ORDER NO. 92-750 ✓
SEPTEMBER 3, 1992

IN RE: Application of Robert Cefail & Associates)
American Inmate Communications, Inc. for)
a Certificate of Public Convenience and) ORDER RULING ON
Necessity to Operate as a Reseller of) EXHAUSTION OF
Telecommunications Services, including) ADMINISTRATIVE
Operator Services, within the State of) REMEDIES
South Carolina.)

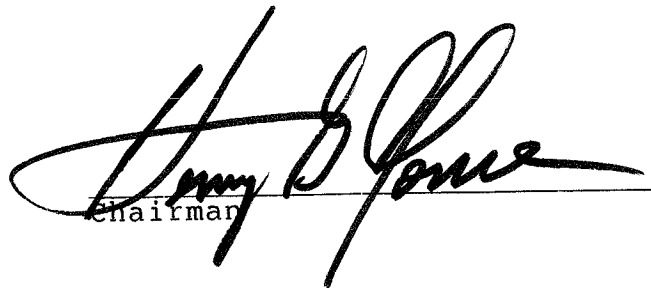
This matter is before the Public Service Commission of South Carolina (the Commission) on Pay-Tel Communications, Inc.'s (Pay-Tel's) petition for an opinion addressing whether or not it has exhausted its administrative remedies in this proceeding. Robert Cefail & Associates American Inmate Communications, Inc. (Cefail) has filed a response which states it believes Pay-Tel has exhausted its administrative remedies.

On June 17, 1992, the Commission issued Order No. 92-431 which granted Cefail a Certificate of Public Convenience and Necessity to provide "0+" automated calling services from confinement facilities on a local, intraLATA, and interLATA basis within South Carolina. On July 2, 1992, Pay-Tel filed a Petition for Rehearing and/or Reconsideration. On July 17, 1992, the Commission granted Pay-Tel's Petition for Rehearing and denied Cefail's Application

for a Certificate of Public Convenience and Necessity. Order No. 92-554. On July 29, 1992, Cefail filed a Petition for Rehearing and/or Reconsideration of Order No. 92-554. On August 17, 1992, the Commission issued Order No. 92-668 which granted Cefail's Petition for Rehearing and reinstated its original Order No. 92-431.

After review of Pay-Tel's Petition, Cefail's response, and the applicable law, the Commission hereby determines that Pay-Tel has exhausted all administrative remedies available to it in this proceeding. The Commission concludes that Pay-Tel exhausted its administrative remedies by filing its Petition for Rehearing and/or Reconsideration of Order No. 92-431 on July 2, 1992. Consequently, the Commission finds it would not have authority to consider a Petition for Rehearing and/or Reconsideration of Order No. 92-668 submitted by Pay-Tel.

IT IS SO ORDERED.


Chairman

ATTEST:


Executive Director

(SEAL)